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SENATE BILL 319

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

WILLIAM H. PAYNE

AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION; ENACTING NEW SECTIONS OF THE MOTOR VEHICLE CODE; IMPOSING A SAFETY SURCHARGE ON THE REGISTRATION OF VEHICLES OWNED BY PERSONS CONVICTED OF DRIVING WHILE INTOXICATED; PROVIDING FOR DISPOSITION OF FEE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Motor Vehicle Code is enacted to read:

"~~[NEW MATERIAL]~~ RENEWAL OF REGISTRATION AFTER DRIVING WHILE INTOXICATED CONVICTION OF OWNER. --In addition to the registration fees prescribed by the Motor Vehicle Code, each motor vehicle registered in the name of a person convicted of driving while intoxicated shall upon the renewal of the motor vehicle's registration be subject to payment of a safety surcharge as follows:

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[bracketed material] = delete

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1 A. renewal for one year after first conviction,
2 seven hundred fifty dollars (\$750); and

3 B. renewal for the next three years after a second
4 and subsequent convictions, one thousand five hundred dollars
5 (\$1,500). "

6 Section 2. A new section of the Motor Vehicle Code is
7 enacted to read:

8 " [NEW MATERIAL] DISPOSITION OF FEES. -- Safety surcharge
9 fees shall be distributed as follows:

10 A. to the municipality, county or fee agent
11 operating the field office renewing the registration of the
12 motor vehicle subject to the surcharge, thirty-three and one-
13 third percent of the surcharge fee;

14 B. to the office of the district attorney
15 prosecuting the driving while intoxicated conviction of the
16 registered owner, thirty-three and one-third percent of the
17 surcharge fee; and

18 C. to the police agency making the arrest leading to
19 the driving while intoxicated conviction of the registered
20 owner, thirty-three and one-third percent of the surcharge fee. "

21 Section 3. A new section of the Motor Vehicle Code is
22 enacted to read:

23 " [NEW MATERIAL] CIVIL PENALTY. -- Any person who is the
24 registered owner of a motor vehicle subject to the safety
25 surcharge imposed by Section 1 of this act who willfully seeks

Underscored material = new
~~[bracketed material] = delete~~

1 to avoid the surcharge registration fee by the subterfuge of
2 retitling as a result of sale of the motor vehicle to an
3 immediate member of his family for less than the reasonable
4 market value of the motor vehicle is, after notice, hearing and
5 finding by the director or his designee, subject to a penalty of
6 not less than two thousand dollars (\$2,000) nor more than five
7 thousand dollars (\$5,000). "